



PATENT
Atty. Docket No.: 1705 DIV CON II (203-1543 DIV CON II)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert J. Geiste et al.

Examiner: Unassigned

Serial No.: 10/714,733

Group Art Unit: Unassigned

Filed: November 17, 2003

Dated: February 9, 2004

For: SURGICAL STAPLER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

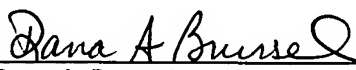
Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. A copy of the foreign patent document is enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 9, 2004.

Dated: February 9, 2004


Dana A. Brussel

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☒ [X] This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ [] This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☐ [] To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ [] Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ [] Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
- ☐ [] Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ [] Please charge the \$130.00 petition fee to Deposit Account No. **50-2140**.
- ☐ [] Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ [] Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. **50-2140**.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140 therefor.

TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



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DAB/jjp



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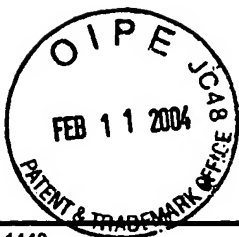
Form PTO-136 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 1705 DIV CON II (203-1543 DIV CON II)	Application Number 10/714,733
	Applicant Robert J. Geiste et al.	
	Filing Date November 17, 2003	Group Art Number Unassigned

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,141,144	August 1992	Foslien et al.			
	5,106,008	April 1992	Tompkins et al.			
	5,083,695	January 1992	Foslien et al.			
	5,065,929	November 1991	Schulze et al.			
	5,040,715	August 1991	Green et al.			
	5,031,814	July 1991	Tompkins et al.			
	4,978,049	December 1990	Green			
	4,955,959	September 1990	Tompkins et al.			
	4,944,443	July 1990	Odds et al.			
	4,863,088	September 1989	Redmond et al.			
	4,821,942	April 1989	Richards et al.			
	4,767,044	August 1988	Green			
	4,664,305	May 1987	Blake, III et al.			
	4,633,874	January 1987	Chow et al.			
	4,633,861	January 1987	Chow et al.			
	4,610,383	September 1986	Rothfuss et al.			
	4,608,981	September 1986	Rothfuss et al.			
	4,606,343	August 1986	Conte et al.			
	4,592,498	June 1986	Braun et al.			
	4,556,058	December 1985	Green			
	4,520,817	June 1985	Green			
	4,429,695	February 1984	Green			
	4,391,401	July 1983	Moshofsky			
	4,383,634	May 1983	Green			
	4,111,206	September 1978	Vishnevsky			

Examiner	Date Considered
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



Sheet 2 of 2

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)

1705 DIV CON II (203-1543 DIV CON II)

Application Number

107714,733

Applicant

Robert J. Geiste et al.

Filing Date

November 17, 2003

Group Art Number

Unassigned

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	4,064,881	December 1977	Meredith			
	3,499,591	March 1970	Green			
	3,490,675	January 1970	Green et al.			
	3,079,606	March 1963	Bobrov et al.			

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	0 365 153	August 1995	EP				

OTHER DOCUMENTS

Examiner**Date Considered**

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.